

REMARK

Claims 1-4, 9 and 22-31 are pending in this application. By this Amendment, claims 1-4 are amended and claims 22-31 are added. The above amendments and added claims introduce no new matter. Support for amended claim 1 and added claim 31 can be found, for example, on page 13, lines 12-15 of the specification, and in Fig. 2. Support for added claim 22 can be found, for example, in Figs. 1B and 2. Support for added claim 27 can be found, for example, on page 12, line 15 - page 13, line 11 of the specification. Claims 2-4 are amended for form and clarity. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

The Office Action, on page 3, indicates that claims 2, 3, 7 and 8 recite allowable subject matter. Specifically, the Office Action indicates that these claims would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. Applicant appreciates this indication of allowability but respectfully submits that at least independent claim 1, from which these claims directly or indirectly depend, is allowable for at least the reason set forth below.

The Office Action, on page 2, rejects claims 1, 4-6, 9 and 10 under 35 U.S.C. §103(a) over U.S. Patent No. 6,078,430 to Fukuda et al. (hereinafter "Fukuda"). The cancellation of claims 5, 6 and 10 renders the rejection of these claims moot. The rejection of claims 1, 4-6 and 9 is respectfully traversed.

Independent claim 1 recites, among other features, a marking integrally molded by injection molding to a surface of the depressed part, the marking having a convex shape, a highest point of the marking being lower than a highest point of the flange surface. Fukuda cannot reasonably be considered to have suggested this feature.

The Office Action, on page 2, asserts that the gate indicating section 6 of Fukuda corresponds to the claimed marking. Specifically, the Office Action refers to the curved

bottom of the gate indicating section 6 shown in Fig. 5 of Fukuda. The gate indicating section 6 shown in Fig. 5 of Fukuda does not have a convex shape. In contrast, the gate indicating section 6 is concave. Thus, the gate indicating section 6 of Fukuda, as shown in Fig. 5, cannot reasonably be considered to correspond to the claimed marking.

Fukuda, in Fig. 4, shows a gate indicating section 6 that appears to have a convex shape. Despite the shape of the gate indicating section 6 shown in Fig. 4, the gate indicating section 6 shown in Fig. 4 cannot reasonably be considered to correspond to the claimed marking, because the gate indicating section 6 does not have a highest point that is lower than a highest point of the flange section 3. Rather, the highest point of the gate indicating section 6 is higher than a highest point of the flange section 3 (see, e.g., Fig. 4).

For at least the reasons discussed above, Fukuda cannot reasonably be considered to have suggested all of the features positively recited in independent claim 1. Further, claims 4-6 and 9 also would not have been suggested by Fukuda for at least the dependence of these claims directly or indirectly on claim 1, as well as for the additional features each of these claims recites.

Accordingly, reconsideration and withdrawal of the §103(a) rejection of claim 1 over Fukuda are respectfully requested.

Added independent claim 22 recites a flange part formed on a periphery of the lens part, the flange part comprising a first portion having a surface higher than the first convex lens surface; and a slope incline toward the first convex lens surface, the slope provided between the surface of the second portion and the first convex lens surface. For the following reasons, Fukuda cannot reasonably be considered to have suggested these features.

The Office Action, on page 2, concedes that Fukuda does not teach a first portion having a surface higher than the first convex lens surface. The Office Action concludes that it would have been obvious to one of ordinary skill in the art to provide the flange section 3 of

Fukuda with a meniscus lens in order to achieve a flange part comprising a first portion having a surface higher than the first convex lens surface. The Office Action's assertion is without merit. There is no suggestion or motivation, either in Fukuda or in the knowledge generally available to one of ordinary skill in the art to modify the biconvex lens structure of Fukuda to be a meniscus lens. Furthermore, even if one of ordinary skill in the art would have been motivated to modify Fukuda as suggested by the Office Action, the resulting structure would not render obvious claim 22. Modifying Fukuda as suggested by the Office Action would provide a top lens that is concave. Such a structure would not anticipate or render obvious claim 22, because claim 22 recites a lens part having first and second convex lens surfaces, the second convex lens surface opposing the first convex lens surface.

As noted above, claim 22 also recites a flange part comprising a slope inclined toward the first convex lens surface, the slope provided between the surface of the second portion and the first convex lens surface. As shown in Fig. 2 of Applicant's disclosure, and as described on page 14, line 19 through page 15, line 13, the first portion is defined as the upper flange surface 21 and the second portion is defined as the marking surface 211, which has a marking 3b formed thereon. The marking surface 211 does not extend to the outer peripheral part of the convex lens surface (see, e.g., page 16, lines 4-7). However, as shown in attached annotated Fig. 2, a slope is provided between the surface of the second portion and the first convex lens surface. Fukuda does not disclose or suggest this claimed slope.

Fukuda discloses an optical lens 1a that is attached to a flange section 3 (see, e.g., Fig. 4). The flange section 3 merely includes a gate indicating section 3 that is concave. The gate indicating section 3 is not provided between a surface of a second portion that has a surface lower than the surface of a first portion that has a surface that his higher than a first convex lens surface.

Accordingly, for at least these reasons, Fukuda does not render obvious claim 22. Further, claims 23-26 also would not have been suggested by Fukuda for at least the respective dependence of these claims directly or indirectly on an allowable independent claim 22, as well as for the additional features they recite.

Added claim 27 recites, among other features, a relative position of the first and second markings is determined according to a type of a production jig used to produce the plastic lens. Fukuda cannot reasonably be considered to have suggested these features. Specifically, there is no teaching or suggestion in Fukuda to set a relative position of the first and second markings for determining a type of a production jig used to produce a plastic lens. Further, claims 28-30 would not have been suggested by Fukuda for at least the respective dependence of these claims directly or indirectly on an allowable independent claim 27, as well as for the additional features they recite.

Added claim 31 recites, among other features, a flange part formed on a periphery of the lens part, the flange part comprising a first portion having a surface higher than the first lens surface; and a slope incline toward the first lens surface, the slope provided between the surface of the second portion and the first lens surface. For reasons similar to those discussed above with respect to claim 22, Fukuda cannot reasonably be considered to have suggested these features.

In view of at least the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 4, 9 and 22-31, in addition to the indication of allowability of claims 2 and 3, are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



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Attachment:

Annotated Figure 2

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<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
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Annotated Sheet
Application No. 10/721,458

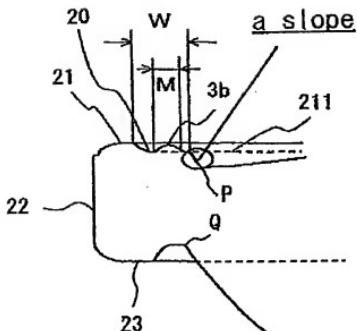


Fig. 2